

REMARKS

In the aforementioned Office Action, the Examiner has rejected claims 1-10 under 35 U.S.C. §112, ¶2 as being indefinite. The Examiner has also rejected claims 11, 12 and 14 under 35 U.S.C. §102(b) as being anticipated by Bishop. The Examiner has objected to claims 13 and 15-18 but has indicated, however, that claims 13 and 15-18 would be allowable if rewritten to include the limitations of their respective base claims and any intervening claims. The Examiner has allowed claim 19.

In response, independent claim 1 has been amended as suggested by the Examiner to more clearly recite the structure of the present invention and to establish proper antecedent basis for dependent claims 2-10. Claim 11 has been amended to include the limitations of claims 12 and 13, pursuant to the Examiner's indication of allowable claims. Dependent claim 14 has been amended to establish proper dependency from amended independent claim 11. Support for the amendments and the new claims can be found in the specification on Page 10, Lines 2-4, on pages 16-18 and in Figs. 1, 1A and 7-10. Claims 12 and 13 have been cancelled. Claims 1-11 and 14-19 remain pending.

Rejections Under 35 U.S.C. §112, ¶2

Regarding the Examiner's Section 112 rejections, claim 1 has been amended to recite a membrane having a membrane inner surface, as suggested by the Examiner. This establishes proper antecedent basis for any subsequent limitations recited in amended claim 1, as well as for dependent claims 2-10. Therefore, Applicant believes all rejections under 35 U.S.C. §112, ¶2 have been overcome, and these rejections should be withdrawn.

Rejections Under 35 U.S.C. §102(b)

Regarding the rejection of claims 11 and 14 as being anticipated by Bishop, amended claim 11 now recites the additional limitations of claim 13 and intervening claim 12, as suggested by the Examiner, and is now in allowable form. Dependent claims 14-18 contain the same limitations as amended independent claim 11 and are now allowable for the same reasons. Accordingly, Application believes all rejections under 35 U.S.C. §102(b) have been overcome, and these rejections should be withdrawn.

Applicant has made a bona fide effort to properly amend the claims and to remove informalities therefrom. As such, it is believed the present application is in a condition for allowance. Accordingly, a Notice to that effect is most respectfully requested.

Dated: June 11 2002

Respectfully submitted,



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Exhibit A

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Martin E. Smith et al.)
Serial No.: 09/745,381) Steven J. Ganey
Filed: December 26, 2000) Art Unit 3752
Title: HOSE SPRAYER ASSEMBLY)

RULE 111 AMENDMENTMARKED-UP VERSION OF REWRITTEN CLAIMS 1, 11 AND 14PER 37 C.F.R. SEC. 1.121(c)

- a¹
1. (Amended) A valve comprising:
a housing formed with an outer surface and an inner surface;
said housing including an elastomeric membrane integrally molded to said inner surface, said membrane having a membrane inner surface defining a transverse opening in said housing; and,
a trigger body inserted into said transverse opening and rotatably mounted to said housing, said trigger body being formed with a inlet port, an outlet port in fluid communication with said inlet port and an aspiration port in fluid communication with said outlet port.
- a²
11. (Amended) A hose sprayer assembly comprising:
a housing formed with a transverse opening and having a water passageway in fluid communication with said transverse opening, and further having a product passageway in fluid communication with said transverse opening;
a trigger valve inserted into said transverse opening, said trigger valve being

formed with a water port, a mixture port in fluid communication with said water port and a product port in fluid communication with said mixture port;

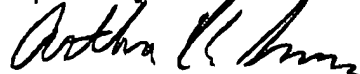
a2 said housing having an inner surface and an outer surface and an outlet aperture extending from said inner surface to said outer surface; and,

said trigger valve being selectively aligned so that when said product port is simultaneously isolated from said product passageway, said water port is in communication with said water passageway and said mixture port is in communication with said outlet aperture.

a2 124. (Amended) The assembly of claim 11 wherein said trigger valve is selectively aligned so that said water port is in communication with said water passageway, said mixture port is in communication with said outlet aperture, and said product port is in communication with said product passageway.

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Exhibit B**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of: Martin E. Smith et al.)
Serial No.: 09/745,381)
Filed: December 26, 2000)
Title: HOSE SPRAYER ASSEMBLY)

Steven J. Ganey
Art Unit 3752

RULE 111 AMENDMENT**MARKED-UP VERSION OF REWRITTEN CLAIMS 1, 11 AND 14****PER 37 C.F.R. SEC. 1.121(c)**

1. (Amended) A valve comprising:
a housing formed with an outer surface and an inner surface;
said housing including an elastomeric membrane integrally molded to said inner surface, said membrane having a membrane inner surface defining a transverse opening in said housing; and,
a trigger body inserted into said transverse opening and rotatably mounted to said housing, said trigger body being formed with a inlet port, an outlet port in fluid communication with said inlet port and an aspiration port in fluid communication with said outlet port.
11. (Amended) A hose sprayer assembly comprising:
a housing formed with a transverse opening and having a water passageway in fluid communication with said transverse opening, and further having a product passageway in fluid communication with said transverse opening; [and,]
a trigger valve inserted into said transverse opening, said trigger valve being

formed with a water port, a mixture port in fluid communication with said water port and a product port in fluid communication with said mixture port;

said housing having an inner surface and an outer surface and an outlet aperture extending from said inner surface to said outer surface; and,

said trigger valve being selectively aligned so that when said product port is simultaneously isolated from said product passageway, said water port is in communication with said water passageway and said mixture port is in communication with said outlet aperture.

14. (Amended) The assembly of claim [12] 11 wherein said trigger valve is selectively aligned so that said water port is in communication with said water passageway, said mixture port is in communication with said outlet aperture, and said product port is in communication with said product passageway.

Dated: June 11, 2002

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